UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF IOWA
CENTRAL DIVISION

PUTCO, INC., Plaintiffs,	)	Civil Action No. 4:17-cv-00096
v.	)	
METRA ELECTRONICS, Defendants.	)	**JURY TRIAL DEMANDED**

COMPLAINT FOR PATENT INFRINGEMENT

COMES NOW Plaintiff, Putco, Inc. ("Putco"), and for its Complaint against Defendant, Metra Electronics ("Metra") states and alleges as follows:

NATURE OF THE ACTION

1. This is a civil action for patent infringement. Plaintiff's claims are based on the unauthorized, infringing manufacture, use, importation, sale, and/or offer for sale by Defendant of at least its Heise LED Lighting Systems® LED headlight replacement kits, including, but not limited to at least one of the following: the 5202, 9004, 9005, 9006, 9007, 9012, H1, H10, H11, H13, H16, H3, H4, H7, H8, P13, PSX24, PSX26 headlight kits.

PARTIES

2. Plaintiff Putco is an Iowa corporation having its principal place of business at 5701 NE 22nd Street, Des Moines, Iowa 50313.

3. Upon information and belief, Defendant Metra Electronics is a Florida corporation conducting business in Iowa and elsewhere, having its principal place of business at 460 Walker Street, Holly Hill, FL 32117.

JURISDICTION AND VENUE

4. This is an action for patent infringement arising under the patent laws, Title 35 United States Code, including 35 U.S.C. §§ 271, 281, and 283-285.

5. This Court has original subject matter jurisdiction over the claims in this action pursuant to at least 28 U.S.C. §§ 1331 and 1338(a) and further pursuant to 28 U.S.C.§ 1332(a) as the amount in controversy in this action exceeds the sum or value of $75,000 and this action is between citizens of different states.

6. Venue is proper in this district in accordance with 28 U.S.C. § 1391(b) & (c) and 28 U.S.C. § 1400(b). Upon information and belief, Defendant Metra has regular contact with this district and has sold and offered for sale its products, including the accused products described below, within this district.

GENERAL ALLEGATIONS

7. On January 26, 2016, the United States Patent and Trademark Office duly and lawfully issued United States Patent No. 9,243,796 B1 ("the '796 patent"), entitled LED Lamp with a Flexible Heat Sink," claiming the LED headlight replacement kits and the method of installing the same into a light fixture. Putco is the owner of all rights thereto, including the right to sue for and recover all past, present and future damages for infringement of the '796 patent. A true and correct copy of the '796 patent is attached hereto as Exhibit 1.

8. The '796 patent is directed towards an LED lamp with a flexible heat sink and a method of installing the same into a light fixture.

9. The ‘796 patent includes 17 claims, including independent claims 1 and 15.

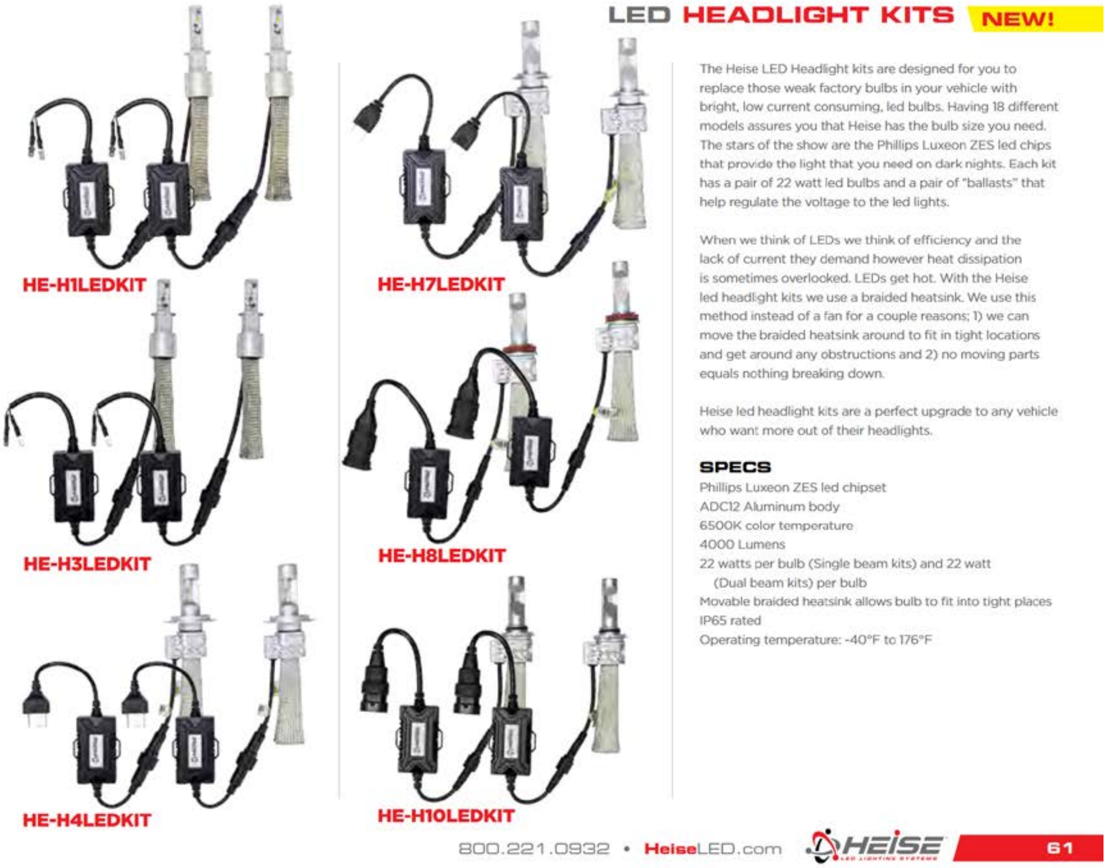
10. The LED lamps with flexible heat sinks sold by Putco under the ‘796 patent have enjoyed substantial success and are protected by intellectual property rights owned by Putco.

COUNT I
PATENT INFRINGEMENT OF U.S. PATENT NO. 9,243,796

11. Putco re-alleges and incorporates by reference paragraphs 1 through 10 as if set forth herein.

12. On information and belief, Defendant Metra has manufactured, used, sold and/or offered for sale, and is continuing to manufacture, use, sale and/or offer of sale within this district and elsewhere products which infringe one or more claims of the ‘796 Patent, including LED Replacement Headlight Kits that include the flexible fabric heat sink.

13. A photograph of at least one version of the infringing Headlight Kit, as shown in Metra’s Heise LED Lighting Systems 2017 Catalog on page 61 is included below.


LED HEADLIGHT KITS
NEW!
The Heise LED Headlight kits are designed for you to replace those weak factory bulbs in your vehicle with bright, low current consuming, led bulbs. Having 18 different models assures you that Heise has the bulb size you need. The stars of the show are the Phillips Luxeon ZES led chips that provide the light that you need on dark nights. Each kit has a pair of 22 watt led bulbs and a pair of "ballasts" that help regulate the voltage to the led lights.
When we think of LEDs we think of efficiency and the lack of current they demand however heat dissipation is sometimes overlooked. LEDs get hot. With the Heise led headlight kits we use a braided heatsink. We use this method instead of a fan for a couple reasons; 1) we can move the braided heatsink around to fit in tight locations and get around any obstructions and 2) no moving parts equals nothing breaking down.
Heise led headlight kits are a perfect upgrade to any vehicle who want more out of their headlights.
SPECS
Phillips Luxeon ZES led chipset
ADC12 Aluminum body
6500K color temperature
4000 Lumens
22 watts per bulb (Single beam kits) and 22 watt (Dual beam kits) per bulb
Movable braided heatsink allows bulb to fit into tight places
IP65 rated
Operating temperature: -40°F to 176°F
HE-H1LEDKIT
HE-H7LEDKIT
HE-H3LEDKIT
HE-H8LEDKIT
HE-H4LEDKIT
HE-H10LEDKIT
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HEISE
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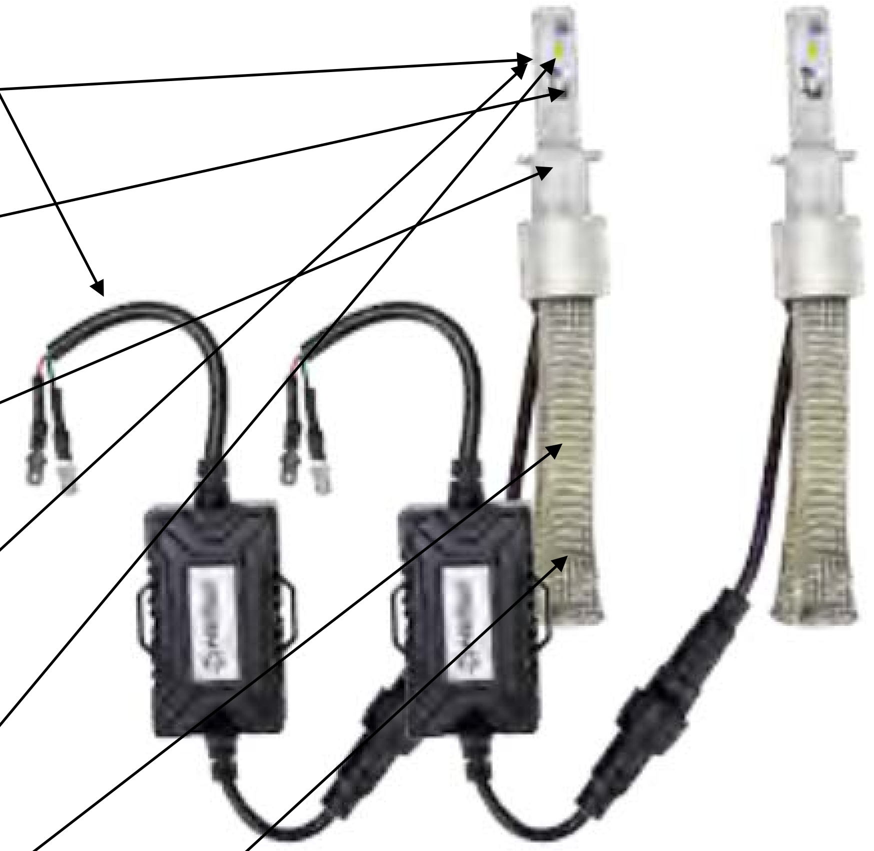
14. Upon information and belief, Metra's LED Headlight Kits with a flexible heat sink, including, for example, the 5202, 9004, 9005, 9006, 9007, 9012, H1, H10, H11, H13, H16, H3, H4, H7, H8, P13, PSX24, PSX26 infringe at least claims 1 and/or 15 of the '796 patent. Putco reserves the right to add additional products, claims and allegations, upon further discovery. Moreover, should any claims of the '796 patent undergo subsequent reexamination or reconsideration, Putco reserves the right to assert such claims upon any reissuance.

15. For exemplary purposes only, Metra's infringement of at least claim 1 is shown in the claim chart below:

Claim 1 of the '796 Patent	Images of a Representative Accused Product
1. An LED lamp with a heat sink, the lamp comprising: a wire harness adapted for connection to an electrical system; a first circuit board electrically connected to the wire harness; a second circuit board electrically connected to the wire harness; a heat conducting member, wherein the circuit boards are mounted on opposite sides of the heat conducting member; a first light emitting diode on the first circuit board; a second light emitting diode on the second circuit board; a flexible heat sink mechanically connected to the heat conducting member; and wherein the flexible heat sink comprises a flexible metal fabric.	

16. Metra's acts of infringement were undertaken with out permission or license from Putco. Metra has had actual knowledge of the '796 patent and actual notice of its infringing conduct and has intentionally ignored Putco's requests to cease and desist from further infringing activities. Thus, Metra's continued manufacture, use, sale and offer for sale of the accused products constitutes on-going willful and intentional infringement of the '796 patent.

17. Defendant has actual and constructive notice that said patent has been duly and legally issued and that its manufacture, use, sale and/or offer for sale of its products infringe the '796 Patent.

18. Putco is informed and believes, and thereon alleges that Metra has derived and received, and will continue to derive and receive gains, profits, and advantages from the aforesaid acts of infringement in an amount that is not presently known to Putco. By reason of the aforesaid infringing acts, Putco has been damaged and will continue to be damaged in the future unless Defendant is permanently enjoined from infringing, either directly or indirectly, the '796 patent. Thus, Putco is engigeld to monetary relief in an amount to be determined at trial.

COUNT II
INDUCED PATENT INFRINGEMENT OF U.S. PATENT NO. 9,243,796

19. Putco re-alleges and incorporates by reference paragraphs 1 through 18 as if set forth herein.

20. On information and belief, Defendant Metra, with full knowledge of both the '796 patent and the infringing nature of its acts, has instructed others how to use, sell and/or offer for sale, and is continuing to instruct others how to use, sell and/or offer of sale within this district and elsewhere products which infringe one or more claims of the '796 Patent, including LED Replacement Headlight Kits that include the flexible fabric heat sink.

21. A photograph of at least one version of the infringing Headlight Kit, as shown in Metra's Heise LED Lighting Systems 2017 Catalog on page 61 is included below.

LED HEADLIGHT KITS NEW!

HE-H7LEDKIT
HE-H8LEDKIT
HE-H10LEDKIT

The Heise LED Headlight kits are designed for you to replace those weak factory bulbs in your vehicle with bright, low current consuming, led bulbs. Having 18 different models assures you that Heise has the bulb size you need. The stars of the show are the Phillips Luxeon ZES led chips that provide the light that you need on dark nights. Each kit has a pair of 22 watt led bulbs and a pair of "ballasts" that help regulate the voltage to the led lights.

When we think of LEDs we think of efficiency and the lack of current they demand however heat dissipation is sometimes overlooked. LEDs get hot. With the Heise led headlight kits we use a braided heatsink. We use this method instead of a fan for a couple reasons; 1) we can move the braided heatsink around to fit in tight locations and get around any obstructions and 2) no moving parts equals nothing breaking down.

Heise led headlight kits are a perfect upgrade to any vehicle who want more out of their headlights.

SPECS

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ADC12 Aluminum body
6500K color temperature
4000 Lumens
22 watts per bulb (Single beam kits) and 22 watt (Dual beam kits) per bulb
Movable braided heatsink allows bulb to fit into tight places
IP65 rated
Operating temperature: -40°F to 176°F

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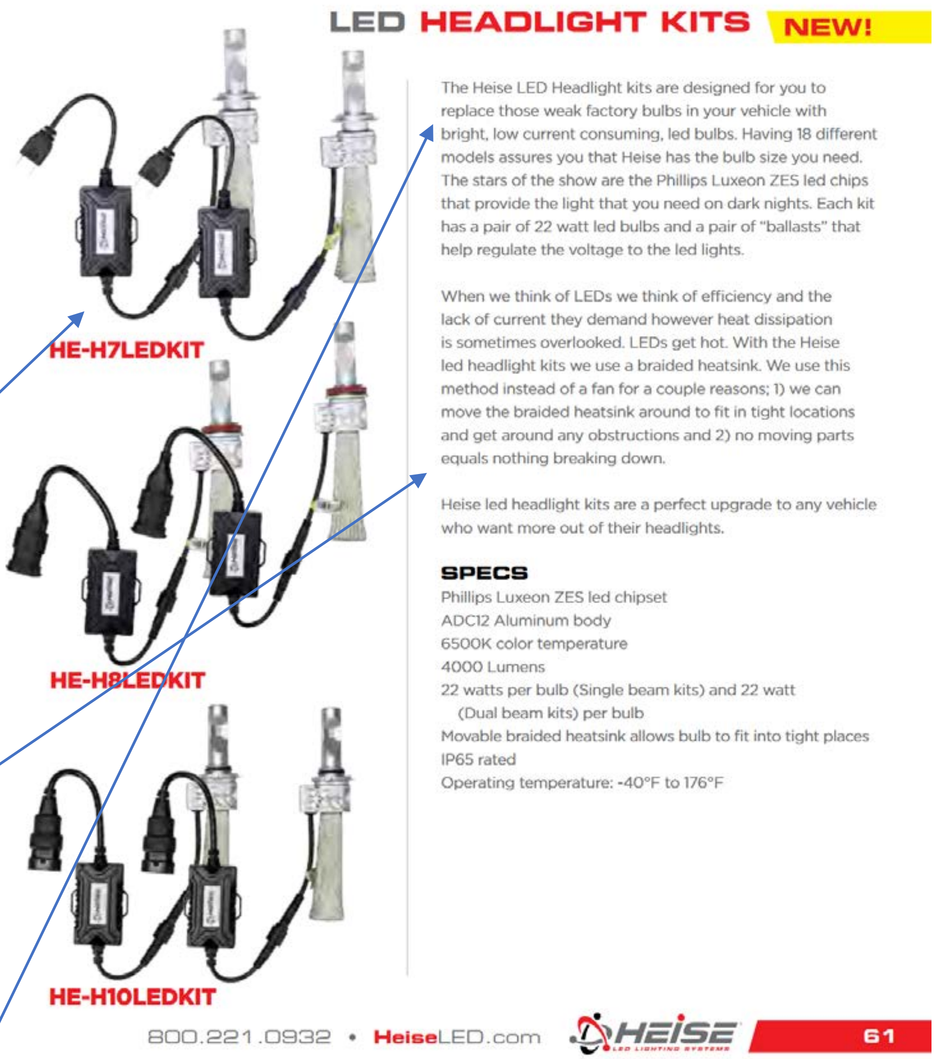
22. For exemplary purposes only, Metra's induced and infringement of at least claim 15 is shown in the claim chart below:

<table>
<tr><th>Claim 15 of the '796 Patent</th><th>Images of a Representative Accused Product</th></tr>
<tr><td>1. A method of installing an LED lamp into a light fixture comprising:

providing an LED lamp that has a light emitting diode on a circuit board, a heat conducting member supporting the circuit board, a flexible heat sink made from a flexible metal fabric attached to the heat conducting member, and a mounting body enclosing the circuit board and heat conducting member;

shaping the flexible heat sink into a desired shape to fit in a space behind the light fixture; and

installing the mounting body in the light fixture with the light emitting diode on a front side of the fixture and the flexible heat sink in the space behind the light fixture.</td><td>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61

</td></tr>
</table>

23. Metra's acts of infringement were undertaken without permission or license from Putco. Metra has had actual knowledge of the '796 patent and actual notice of its infringing conduct and has intentionally ignored Putco's requests to cease and desist from further infringing activities. Thus, Metra's continued manufacture, use, sale and offer for sale of the accused products constitutes on-going willful and intentional infringement of the '796 patent.

24. Defendant has actual and constructive notice that said patent has been duly and legally issued and that its manufacture, use, sale and/or offer for sale of its products infringe the '796 Patent.

25. Putco is informed and believes, and thereon alleges that Metra has derived and received, and will continue to derive and receive gains, profits, and advantages from the aforesaid acts of infringement in an amount that is not presently known to Putco. By reason of the aforesaid infringing acts, Putco has been damaged and will continue to be damaged in the future unless Defendant is permanently enjoined from infringing, either directly or indirectly, the '796 patent. Thus, Putco is engigeld to monetary relief in an amount to be determined at trial.

PRAYER FOR RELIEF

WHEREFORE, Plaintiff Putco, Inc. prays for the following relief:

A. A judgment that Defendant Metra Electronics has infringed U.S. Patent No. 9,243,796;

B. An injunction permanently enjoining and restraining Defendant, its officers, directors, agents, servants, employees, attorneys and all others acting under, in concert with, or through it, directly or indirectly, from infringing U.S. Patent No. 9,243,796;

C. A judgment that Defendant's infringement of U.S. Patent No. 9,243,796 has been and is now willful and deliberate;

D. A judgment requiring Defendant to pay damages under 35 U.S.C. § 284 for the infringement of U.S. Patent No. 9,243,796, including treble damages with both prejudgment and post-judgment interest; and

E. A judgment and order directing Defendant to pay the costs of this action (including all disbursements) and attorneys' fees as provided by 35 U.S.C. § 285, with interest; and such other and further relief as this Court may deem just and equitable.

Respectfully submitted,

/s/ R. Scott Johnson
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Jonathan L. Kennedy
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ATTORNEYS FOR PLAINTIFF PUTCO, INC.